

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

| | | |
|--------------------------------------|---|---------------------------|
| WELLS FARGO BANK, National |) | |
| Association, as Trustee for SRMOF II |) | |
| 2011-1 Trust, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Docket No. 2:17-cv-024-NT |
| |) | |
| SCOTT R. OLSEN and SHARRI A. |) | |
| OLSEN, |) | |
| |) | |
| Defendant |) | |
| |) | |
| and |) | |
| |) | |
| SAND CANYON CORPORATION |) | |
| f/k/a OPTION ONE MORTGAGE |) | |
| CORPORATION, |) | |
| |) | |
| Party-in-Interest |) | |

ORDER

Before me is Wells Fargo National Association's ("**Wells Fargo**") motion for default judgment seeking a damages hearing on the mortgage foreclosure count in the Complaint. Complaint—Count I (ECF No. 1). Based on my initial review of the Complaint and the documents supporting the Complaint, it does not appear that Selene Finance had proper title to the mortgage when it assigned the mortgage to Wells Fargo on January 28, 2012. Complaint ¶ 14; Complaint Ex. H. Because Selene Finance did not have proper title, its assignment to Wells Fargo appears to be invalid.

By June 30, 2017, Wells Fargo shall notify me in writing whether it intends to go forward with a default judgment hearing on the other counts in its Complaint or

whether it will seek dismissal of its Complaint without prejudice pursuant to Rule 41. Fed. R. Civ. P. 41. The motion for default judgment is **DENIED** without prejudice. SO ORDERED.

/s/ Nancy Torresen
United States Chief District Judge

Dated this 8th day of June, 2017.